

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> EEOC 451-2023-03900 </div> <div style="display: flex; justify-content: space-between;"> FEPA </div>	
Texas Workforce Commission Civil Rights Division		and EEOC	
State or local Agency, if any			
I Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.) Cathleen Lockhart		Home Phone 210-279-8334	Year of Birth 1952
Street Address 1743 Mountjoy Street SAN ANTONIO, TX 78232			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Judge Veronica Vasquez		No. Employees, Members 201 - 500 Employees	Phone No.
Street Address Bexar County Probate Court 100 Dolorosa SAN ANTONIO, TX 78205			
Name		No. Employees, Members	Phone No.
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON Age, Disability, Retaliation		DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> Earliest 08/31/2022 Latest 08/15/2023 </div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I. Personal Harm I was hired August 31, 2022, as a Staff Attorney by Judge Veronica Vasquez (50s) for Bexar County Probate Court #2 in San Antonio, Texas. Between August 2022 and August 2023, I was subjected to harassment due to my age (72) and disability by Administrative Assistant, Silvia Alvarez (30s). On a regular basis, Ms. Alvarez would make comments about my age and disability. Some comments included, "you're as old as my mother; I'm sorry, I don't think you heard me; you're old and deaf, etc." while at times she raised her hands up to her ears. On June 26, 2023, a scheduled staff meeting was cancelled by Ms. Alvarez. I and other staff were the only two who showed. We asked Ms. Alvarez about the scheduled meeting. In June 2023, I reported Ms. Alvarez's harassing comments and actions to Judge Vasquez. Because I did not believe Judge Vasquez took my complaint seriously, as a result, I escalated my complaint to the Ombudsman, Allison Highley approximately late June/early July 2023. Another employee, (60s) and I met with Ms. Highley to discuss Ms. Alvarez's hostility and harassment towards us. I requested Ms. Highley keep our			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Cathleen Lockhart 04/17/2024 <div style="text-align: right;">Charging Party Signature</div>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

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<p style="text-align: center;">Texas Workforce Commission Civil Rights Division and EEOC</p> <p style="text-align: center;"><i>State or local Agency, if any</i></p>	

conversation confidential, as I feared retaliation. I also asked how I should handle Ms. Alvarez and our working environment. I was terminated on August 15, 2023, by Judge Vasquez.

II. Respondent's Reason(s) for Adverse Action(s)

I was given no reason for the harassment by Ms. Alvarez. My co-worker and I were told by Ms. Alvarez, "I cancelled the meeting, but you probably didn't hear me." I was told by Judge Vasquez that "it would be difficult to terminate any employee, but she would speak with Ms. Alvarez." I was given no reason why my complaint was not taken seriously. I was told by Ms. Highley that she was "limited on what her or her office could do," since Judge Vasquez was an elected official. I was told by Judge Vasquez I was terminated because I was "not a good fit."

III. Statement of Discrimination

I believe I have been discriminated against due to age, 72 (DOB: 2/19/1952) and disability in violation of the Age Discrimination in Employment Act of 1967, as amended and the Americans with Disabilities Act of 1990, as amended.

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<p>I declare under penalty of perjury that the above is true and correct.</p> <p>Digitally Signed By: Cathleen Lockhart</p> <p>04/17/2024</p> <p style="text-align: right;"><i>Charging Party Signature</i></p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE</p> <p style="text-align: center;"><i>(month, day, year)</i></p>

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.